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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,760	10/15/2001	Brandon Mitchell Burrell	42626/208123	3959

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EXAMINER
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WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 02/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/977,760

**Applicant(s)**

BURRELL, BRANDON MITCHELL

**Examiner**

Isaac M Woo

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-29 and 31-39 is/are rejected.
- 7) ☒ Claim(s) 11 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10, 12-29 and 31-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaefer et al (U.S. Patent No. 6,629,192, hereinafter, "Schaefer") in view of Seki et al (U.S. Patent No. 5,504,922, hereinafter, "Seki")

With respect to claims 1, 20 and 39, Schaefer discloses, system management apparatus method for retrieving and displaying SMBIOS data relating to the configuration and components of a computing system to a user via a display terminal, database of SMBIOS structures stored on a computer-readable medium containing data related to the configuration of the computing system and components of the computing system, see (fig. 1, col. 1, lines 9-52, Bios is stored in database, disclosed the system instruction of Schaefer is to manage BIOS that is SMBIOS, col. 2, lines 34-55); utility stored on a computer-readable medium, which in response to commands from a user, retrieves data (accessing BIOS, col. 1, lines 45-52 ) from the database and displays the

data on the display terminal, see (fig. 1, col. 1, lines 9-67 to col. 2, lines 1-56, fig. 5, col. 5, lines 1-37, graphic interface is used for user input (user command input) and output (displaying on terminal)). Schaefer does not explicitly disclose, information for interpreting the SMBIOS data retrieved by the utility from the database, wherein the template file eliminates the requirement that the information for interpreting the data stored in the database. However, Seki discloses, BIOS emulator (45, fig. 6, fig7, col. 7, lines 10-28), when the BIOS emulator 45 converts the AH register to be 10H through input parameter translation (step 109) to translate the BIOS call of the target machine into a BIOS call of the base machine. Subsequently, the BIOS 44 of the base machine is called (110), the values of the AL and AH registers are translated through the output parameter translation (step 111) to absorb any difference of the key codes, see (fig. 7, col. 7, lines 11-48). This teaches that bios emulator converts (interprets) BIOS information and this function is separated from data retrieving from database and displaying data which discussed above. Thus, BIOS interpreting function is eliminates that the information for interpreting the data in database. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to include information for interpreting the SMBIOS data retrieved by the utility from the database, wherein the template file eliminates the requirement that the information for interpreting the data stored in the database in the system of Schaefer. Because BIOS information is input and output related computer system information which is special information and different from data in regular database. Thus, Only BIOS information handling function provides independent computer execution from database

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management, which also provides to reduce computer system failure because of BIOS code damage.

With respect to claims 2-6, Schaefer discloses template file includes at least two types of keys for interpreting the information stored in said template file, data descriptor keys that define the information stored in the template file. Individual data descriptor keys for defining raw data and data strings, for defining a bit field having individual bits representing information based on whether the bit is a one or a zero, that indicate the type of data retrieved from the database and a format in which it should be displayed, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3).

With respect to claims 7-9 and 12, Schaefer discloses data descriptor key for defining an enumerated data value, wherein the numerical value of the data represents a defined setting in the computing system and components and indicating to the utility the last defined bit position in the bit field such that the template file does not include and said utility does not search for undefined bits of the bit field in the template file, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3).

With respect to claim 10, Schaefer discloses data descriptor key for defining multiple groups of bits within a bit field representing a setting of the computing system and components, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3).

With respect to claim 13, Schaefer discloses information in the form of structure definitions used to interpret and display the data stored in said database, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3, col. 2, lines 21-67).

With respect to claims 14-19, Schaefer discloses that the template file includes process control keys control key, indicating a beginning of a SMBIOS structure definition, indicating the end of template file, utility the number of times a group of fields in a structure definition is repeated and the size of the repeated area in bytes used to interpret the structure definitions, and a beginning and ending of a group of repeated fields in a structure definition stored in the template file, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3, col. 2, lines 21-67).

With respect to claims 21-25, Schaefer discloses template file includes at least two types of keys for interpreting the information stored in said template file, data descriptor keys that define the information stored in the template file. Individual data descriptor keys for defining raw data and data strings, for defining a bit field having individual bits representing information based on whether the bit is a one or a zero, that indicate the type of data retrieved from the database and a format in which it should be displayed, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3).

With respect to claims 26-28 and 31, Schaefer discloses data descriptor key for defining an enumerated data value, wherein the numerical value of the data represents

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a defined setting in the computing system and components and indicating to the utility the last defined bit position in the bit field such that the template file does not include and said utility does not search for undefined bits of the bit field in the template file, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3).

With respect to claim 29, Schaefer discloses data descriptor key for defining multiple groups of bits within a bit field representing a setting of the computing system and components, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3).

With respect to claim 32, Schaefer discloses information in the form of structure definitions used to interpret and display the data stored in said database, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3, col. 2, lines 21-67).

With respect to claims 33-38, Schaefer discloses that the template file includes process control keys control key, indicating a beginning of a SMBIOS structure definition, indicating the end of template file, utility the number of times a group of fields in a structure definition is repeated and the size of the repeated area in bytes used to interpret the structure definitions, and a beginning and ending of a group of repeated fields in a structure definition stored in the template file, see (fig. 6, fig. 7, col. 6, lines 17-67 to col. 7, lines 1-3, col. 2, lines 21-67).

***Allowable Subject Matter***

3. Claims 11 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Liebenow (U.S. Patent No. 6,323,873) discloses the system for computer keyboard control of the characteristics of a display device coupled to a computer through the basic input/output system (BIOS) of the computer is disclosed. In one embodiment, a computerized system includes a computer, a display device, and a keyboard. The display device is responsive to at least one display control command, each command associated with a characteristic of the display device, such as contrast or brightness. The BIOS, in response to detecting a predetermined sequence of keystrokes entered by the user on the keyboard, operatively sends the display device a corresponding display control command.



**Contact Information**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
February 12, 2004

  
SHAHID ALAM  
PRIMARY EXAMINER